

REMARKS

Applicants acknowledge receipt of the Examiner's Office Action dated January 24, 2008.

Claims 1-33 are pending in the application.

Claims 1-33 have been rejected.

Claims 20 has been amended.

Double Patenting

Claims 1 and 18 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being patentable over Claims 1 and 11 of U.S. Patent No. 7,287,041 (Attorney Docket Number OIC0100US). While Applicants do not wish to file a terminal disclaimer at this time, Applicants will file a terminal disclaimer if needed in the future.

Claims 1-4 and 18-20 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being patentable over Claims 1-4, 9, 10, and 12 of co-pending Patent Application No. 10/696,371. While Applicants do not wish to file a terminal disclaimer at this time, Applicants will file a terminal disclaimer if needed in the future.

Rejection of Claims under 35 U.S.C. § 101

According to page 8 of the present Office Action, Claims 20-33 are rejected under 35 U.S.C. 101 because the claims are allegedly directed to non-statutory subject matter. Specifically, page 8, paragraph 9 of the present Office Action alleges that the recited “data structure” in Claim 20 is a non-functional descriptive material which is not considered statutory subject matter. Applicants have amended independent Claim 20 to recite the elements of “a processor; an interconnect coupled to the processor; and a computer-readable storage medium”, all of which is statutory subject matter under 35 U.S.C. 101. Support for the amendments can be found in at least paragraph [0028] of the present Specification. Thus, Applicants respectfully request that the rejection be withdrawn.

Rejection of Claims under 35 U.S.C. § 102

Claims 1-33 stand rejected under 35 U.S.C. § 102(e) as being unpatentable over Jost et al., U.S. Patent No. 6,778,651 B1 (Jost). After careful consideration of the remarks in the present Office Action, Applicants assert that Claims 1-33 are not rendered unpatentable by Jost in view of the arguments herein.

Regarding independent Claim 1, nothing in the cited passages of Jost discloses or suggests “converting the service request information in the second intermediate form into service request information in a target form that corresponds to a target computerized service request management system.” Col. 6, lines 22-27 of Jost is posited by the present Office Action as disclosing the recited element of independent Claim 1.

Col. 6, lines 1-27 of Jost discloses:

The system receives a request representative of a service order for at least one communications service associated with a subscriber number from at least one service order source. The system comprises an order management system adapted to input the request, the order management system comprising processes which determine service implementing information that is output to the network elements to implement at least one communications service. Also provided is an interface system adapted to interface the service order management system with the at least one service order source and the network elements, and a database system adapted to store and access data related to the requests in a hierarchical format. Each service order source has a dissimilar input/output service order, and the managing system converts each dissimilar input/output service order format into a single internal format. In addition, the processes communicate via messages containing the requests where the messages are monitored at predetermined times.

According to another aspect, the processes of the order management system comprise an input process, a verification process, a messaging process, and an output process.

According to a further aspect, the messaging process formats messages created by the order management system for distribution within the order management system, and for distribution to the database system, the at least one service order source and the network elements via the interface system. (*emphasis added*)

In other words, Jost is posited by the present Office Action to disclose a system and method for receiving service order requests, converting each service order request into a single internal format, and formatting messages containing the requests for distribution. According to the MPEP § 2131, a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. citing *Verdegall Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Also, the elements must be arranged as required by the claim. citing *In re Bond*, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990).

Independent Claim 1 recites “converting the service request information in the second intermediate form into service request information in a target form that corresponds to a target computerized service request management system”, which means that the service request information itself goes through two transformations: from a first form to a second intermediate form, and finally, to a third target form. Jost does not disclose (or render obvious) the aforementioned transformation of the service request information, but is actually posited by the present Office Action to take service order information in a first form, convert it to a “single internal format”, and then formats messages that include the service order information (as opposed to the actual service order information) for distribution. Jost does not specify if the service order information is actually formatted during the formatting of the messages for distribution. Thus, Jost does not arrange the elements as required by the claim since the messages (instead of the service order information) are formatted from the internal form for distribution.

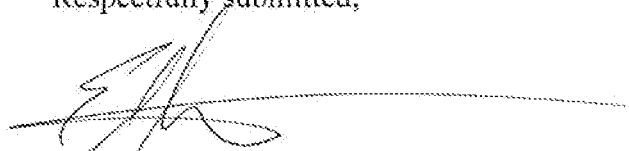
Therefore, the cited passages of Jost does not disclose (or render obvious) each and every element of independent Claim 1. Independent Claim 1, similar independent Claims 18 and 20 and all dependent claims are not rendered unpatentable by Jost. Hence, Applicants respectfully request that the rejection be withdrawn.

CONCLUSION

Applicants submit that all claims are now in condition for allowance, and an early notice to that effect is earnestly solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the Examiner is requested to telephone the undersigned.

If any extensions of time under 37 C.F.R. § 1.136(a) are required in order for this submission to be considered timely, Applicant hereby petitions for such extensions. Applicant also hereby authorizes that any fees due for such extensions or any other fee associated with this submission, as specified in 37 C.F.R. § 1.16 or § 1.17, be charged to deposit account 502306.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'E. Stephenson', with a long horizontal flourish extending to the right.

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